

IN RE: PETITION FOR VARIANCE
E/S Wareham Road, 480' N of
the c/l of Kirkleigh Road
(1949 Wareham Road)
15th Election District
7th Councilmanic District

Raymond D. DiBlasio, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-257-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 1949 Wareham Road, located in the vicinity of Merritt Boulevard and Sollers Point Road in Dundalk. The Petition was filed by the owners of the property, Raymond D. and Angeline DiBlasio in response to a complaint filed by an adjoining property owner regarding an awning on their property. Specifically, the Petitioners seek relief from Sections 1B02.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing open projection (awning) with a side yard setback of 0 feet in lieu of the minimum required 7.5 feet. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Raymond DiBlasio, property owner, and Richard Slomba, a nearby neighbor. There were no Protestants present; however, this office received a letter of opposition from the adjoining property owners, Shahid S. and Victoria A. Ali, also the complainants in this matter, dated February 9, 1996. This letter has been placed in the file and made a part of the record.

Testimony and evidence offered by the Petitioner revealed that the subject property consists of 28,380 sq.ft., more or less, zoned D.R.

ORDER RECEIVED FOR FILING
Date 2/21/96
By [Signature]

RECORDED

10.5 and is improved with a two-story, end-of-group townhouse dwelling unit. The Petitioners are the original owners of the property and have resided thereon for the past 41 years. Mr. DiBlasio testified that he hired a Contractor to construct an awning on the east side (rear) of his home approximately 10 years ago. Mr. DiBlasio stated that he assumed all necessary permits had been acquired by the Contractor and that he was unaware of any violation until his neighbor, Mr. Ali, filed a complaint.

Further testimony revealed that while they have been neighbors for the past 15 years, the Petitioner and Mr. Ali have recently experienced difficulties with one another. Testimony indicated that both property owners utilize the respective driveways to the rear of their homes for access to their property. Apparently, a dispute arose out of Mr. Ali leaving the gate to his driveway open which, in turn, blocked access to the DiBlasio driveway. This issue and other matters have caused tension to escalate between these two neighbors which has resulted in the hearing before me concerning the legitimacy of the awning on the DiBlasio property.

As to the issue before me, photographs submitted into evidence as Petitioner's Exhibit 2 show that the awning in question extends along the entire rear of the dwelling and ends at the side property line adjoining the Ali property. As noted above, this awning has existed on the property for 10 years with no prior complaint until recently. This leads one to conclude that the objection to the awning was generated by some other issue than the awning itself.

Testimony and evidence also demonstrated that the awning is properly equipped with appropriate gutters and downspouts thereby channeling all water runoff away from any adjoining property and down to the alley. The awning has not been enclosed and remains open on the three

[Handwritten signature]

ORDER RECEIVED FOR FILING
Date 8/21/96
By [Signature]

exposed sides. Furthermore, many other homes in this community have been improved with similar awnings, including the home of Mr. Ali. However, Mr. DiBlasio's awning is somewhat unique in that it extends past the end of his house into the side yard. The photographs submitted depict that the DiBlasio property is well-maintained and attractive.

Mr. Richard Slomba, who resides just a few doors away, appeared in support of Mr. DiBlasio's request for variance. Mr. Slomba testified that many of their neighbors have similar types of awnings extending from the rear of their homes. He stated that Mr. DiBlasio is an excellent neighbor, has good relations with other neighbors in the community, and keeps his property in a neat and orderly fashion. Mr. Slomba supports the Petitioners' request for variance.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

ORDER RECEIVED FOR FILING

Date

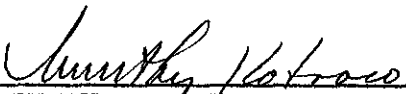
By

has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The Petitioner shall maintain the gutters and downspouts on the awning in good condition to ensure that all water runoff continues to be diverted away from any adjoining property and down to the alley.

3) The subject awning shall not be enclosed for any reason and shall remain open on the three exposed sides.

4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 8/21/96
By [Signature]

MICROFILM

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

February 21, 1996

Mr. & Mrs. Raymond D. DiBlasio
1949 Wareham Road
Baltimore, Maryland 21222

RE: PETITION FOR VARIANCE
E/S Wareham Road, 480' N of the c/l of Kirkleigh Road
(1949 Wareham Road)
15th Election District - 7th Councilmanic District
Raymond D. DiBlasio, et ux - Petitioners
Case No. 96-257-A

Dear Mr. & Mrs. DiBlasio:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Shahid Ali
1951 Wareham Road, Baltimore, Md. 21222

People's Counsel

File





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

1949 Wareham Road

which is presently zoned

10.5

This Petition shall be filed with the Department of Permits & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1302.3C.1 & 301.1A. To Allow AN OPEN PROSECUTION (AWNING) TO BE OFFN LOW OF THE REQUIRED 7.5' FROM SIDE PROPERTY LINE IN A D.R.10.5. ZONE.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

That the extention to the house was added over Ten (10) years ago by a commercial contractor and we assumed that all necessary permits had been taken care of by them.

To be required to remove this addition now would create a unnecessary hardship.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee.

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner.

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s)

Raymond Dominick DiBlasio

(Type or Print Name)

Signature

Angeline DiBlasio

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE 01-02-96

ORDER RECEIVED FOR FILING

Date

By

Printed with Soybean Ink on Recycled Paper

Revised 9/5/95

ZONING DESCRIPTION FOR 1949 Warehouse Road

96-257-A

BEGINNING for the same at the intersection formed by the southeasternmost side of Warehouse Road, 54.00 feet wide, with the division line between Lots Nos. 28 and 29, Block C, as shown on Plat 3, Stanbrook, filed among the Plat Records of Baltimore County in Plat Book C.L.B. No. 20 folio 89, thence binding on the said southeasternmost side of Warehouse Road as shown on said plat, south 30 degrees 29 minutes 16 seconds west 28.38 feet to intersect the division line between Lots Nos. 29 and 30, Block C, as shown on said plat, thence binding on said division line, south 59 degrees 30 minutes 44 seconds east 161.30 feet to intersect the northwesternmost side of an alley, 16 feet wide, as shown on said plat, thence binding on said side of said alley, as shown on said plat, with the use thereof in common with others, north 30 degrees 29 minutes 16 seconds east 28.38 feet to intersect the aforesaid division line between Lots Nos. 28 and 29, thence binding on said division line over to and through the partition wall of a dwelling erected on the lot now being described and the dwelling erected on the lot adjacent to the north east, north 59 degrees 30 minutes 44 seconds west 161.30 feet to the place of beginning. Being Lot No. 29, Block C, as shown on Plat 3, Stanbrook, filed among the Plat Records of Baltimore County in Plat Book C.L.B. No. 20 folio 89. The lots and lots thereon being known as Co. 1949 Warehouse Road.

#254

MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15

Date of Posting 1/26/96

Posted for: Variance

Petitioner: Raymond Domonick DiBlasio and Angeline DiBlasio

Location of property: 1949 Wareham Road

Location of Signs: Front yard next to bedding wall

Remarks:

Posted by Mark Gowel / Jeff Rulon

Date of return:

Number of Signs: 1



NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue, in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #96-257-A
(Item 254)
1949 Wareham Road
E/S Wareham Road, 480' N of
c/t Kirkleigh Road
15th Election District
7th Councilmanic
Legal Owner(s):

Raymond Dominick DiBlasio
and Angelina DiBlasio

Variance: to allow an open
projection (awning) to be zero
feet in lieu of the required 7.5
feet from side property line.
Hearing: Monday, February 12
1996 at 9:00 a.m. in Rm. 118,
Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Call 887-3353.

(2) For information concern-
ing the File and/or Hearing,
Please Call 887-3391.

1/201 Jan 25

C27838

CERTIFICATE OF PUBLICATION

TOWSON, MD., 1/25, 1996

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on 1/25, 1996.

THE JEFFERSONIAN,

A. Henrich
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

#254
011172
96-257-A

DATE

1-2-96

ACCOUNT

R.0016150

AMOUNT \$

85.00

RECEIVED
FROM:

Rowland & Angelina DeBlasio 1949
Winnipeg 31222

010 Res. Val. App Fee 50
0501 Lien 35

FOR:

TOTAL 85

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

SNA

TO: PUTUXENT PUBLISHING COMPANY
January 25, 1996 Issue - Jeffersonian

Please forward billing to:

Raymond and Angeline DiBlasio
1949 Wareham Road
Baltimore, MD 21222
285-3146

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-257-A (Item 254)
1949 Wareham Road
E/S Wareham Road, 480' N of c/l Kirkleigh Road
15th Election District - 7th Councilmanic
Legal Owner: Raymond Dominick DiBlasio and Angeline DiBlasio

Variance to allow an open projection (awning) to be zero feet in lieu of the required 7.5 feet from side property line.

HEARING: MONDAY, FEBRUARY 12, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

January 19, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-257-A (Item 254)
1949 Wareham Road
E/S Wareham Road, 480' N of c/l Kirkleigh Road
15th Election District - 7th Councilmanic
Legal Owner: Raymond Dominick DiBlasio and Angeline DiBlasio

Variance to allow an open projection (awning) to be zero feet in lieu of the required 7.5 feet from side property line.

HEARING: MONDAY, FEBRUARY 12, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Raymond and Angeline DiBlasio

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

February 5, 1996

Mr. and Mrs. Raymond DiBlasio
1949 Wareham Road
Baltimore, Maryland 21222

RE: Item No.: 254
Case No.: 96-257-A
Petitioner: R. DiBlasio, et ux

Dear Mr. and Mrs. DiBlasio:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 2, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Jan. 26, 1996
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for January 22, 1996
Items 253, 254, 257, 258, and 259
and Case 96-169 SPH

The Development Plans Review Division has reviewed
the subject zoning items and we have no comments.

RWB:sw

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Permits and Development
 Management

DATE: January 18, 1996

FROM: Pat Keller, Director
 Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. (254) 255, 257, 258, 260, 263, and 264

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Cary L. Kerns

PK/JL

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 01/17/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN. 16, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 253, 254, 255, 256, 257,
258, 259, 260, 261, 263 AND 264.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

1-16-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 254 (JRA)


Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for 
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PETITION PROBLEMS

#254 --- JRA

1. No address, zip code, or telephone number on petition form for legal owner.

#255 --- MJK

1. Bottom of petition form states conditional approval was given - Where is it?

#259 --- MJK

1. No telephone number on petition forms for legal owner.
2. No signature for attorney on variance petition.

#262 --- JJS

1. No authorization for person signing for legal owner.
2. No hardship or practical difficulty listed on petition form.

#264 --- JJS

1. Where is undersized lot information?

#265 --- CAM

1. No signature for legal owner on variance petition.
2. No telephone number for legal owner on petition forms.
3. No signature for attorney on variance petition.
4. No review information completed on bottom of variance petition.

1951 Wareham Road
February 9, 1996

Dear Sirs,

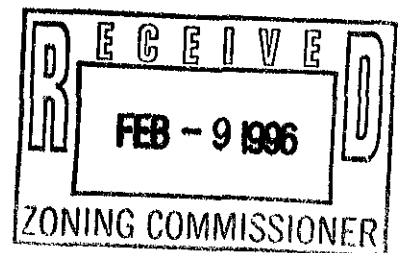
This letter is in regards to local zoning ordinance # 96-257-A. We became aware of the law when we requested a permit to add on to our patio. We were told that no such permit could be issued because there wasn't enough room for such a structure.

However, the neighbor to whom this ordinance applies, builds whatever he wants without permits and without following county codes, has a structure that goes to the border of our property. Because this structure is in violation of the county building code, we object to the request for variance, and would like him to remove the extended porch roof.

Sincerely,

Shahid S. Ali *Victoria A. Ali*

Shahid S. Ali
Victoria A. Ali



RE PETITION FOR VARIANCE
1949 Wareham Road, E/S Wareham Road,
480' N of c/l Kirkleigh Road, 15th
Election District, 7th Councilmanic

Raymond and Angeline DiBlasio
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 96-257-A

* * * * *

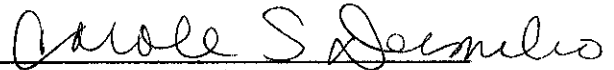
ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.



PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



CAROLE S. DEMILIO

Deputy People's Counsel

Room 47, Courthouse

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of February, 1996, a copy of the foregoing Entry of Appearance was mailed to Raymond and Angeline DiBlasio, 1949 Wareham Road, Baltimore, MD 21222, Petitioners.



PETER MAX ZIMMERMAN

3 4-1 SE

TRANSMISSION

96-257
#254

SEARLES

ROAD

DENBURY

HOLBORN

D.R.10.5

ORMAND

WAREHAM

D.R.10.5

MOORGATE

STANBROOK

STANHOPE

ACCESS

FOUND
FOUND
FOUND

KIRKLEIGH

D.R.5.5

DUNDALK FARMS

521,000

513,000

92-419-A

90-497-A

BR-
CNS

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1949 Wareham Road

see pages 5 & 6 of the C

Subdivision name:

plat book # 20 folio # 84 lot # 29 section #

96-257-A

OWNER: R.D. & A. DiGrasso

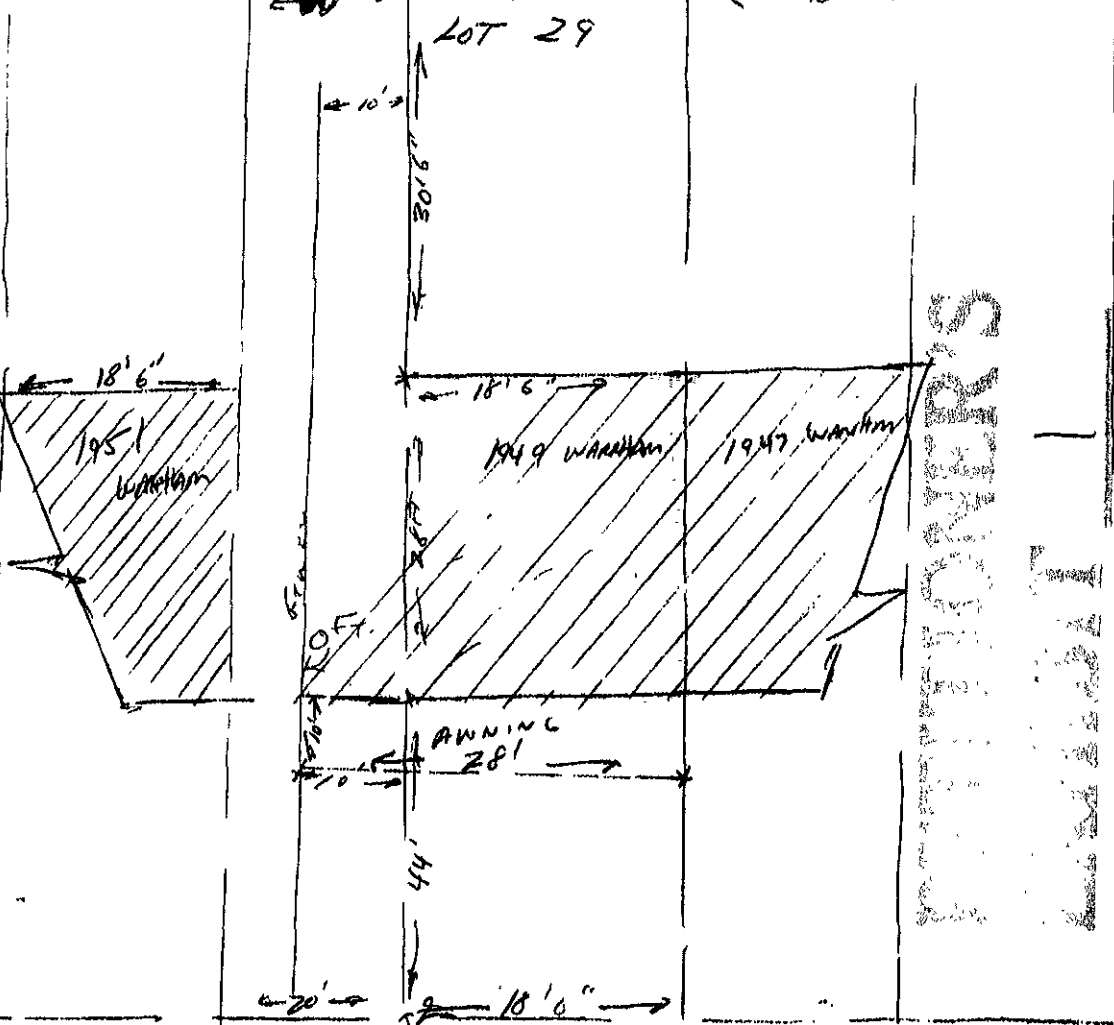


North

date: 11/1/94

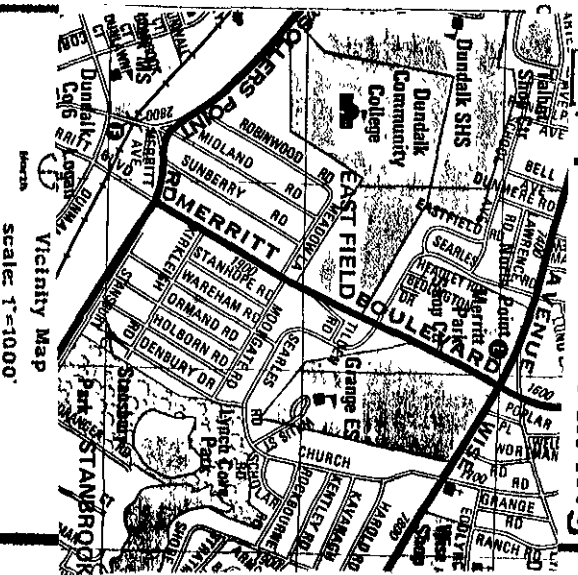
prepared by:

166' ± To Kirkleigh Rd WAREHAM RD



Scale of Drawing: 1" =

Alley



LOCATION INFORMATION

Election District: 15th

Councilmanic District: 7

T=200' scale map#: SE, 4-F.

Zoning: DC 10.5

Lot size:

acreage square feet

203385

SEWER: ☒ public ☐ private

WATER: ☒ ☐

Chesapeake Bay Critical Area: ☐ ☒

Prior Zoning Hearings: None

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

507

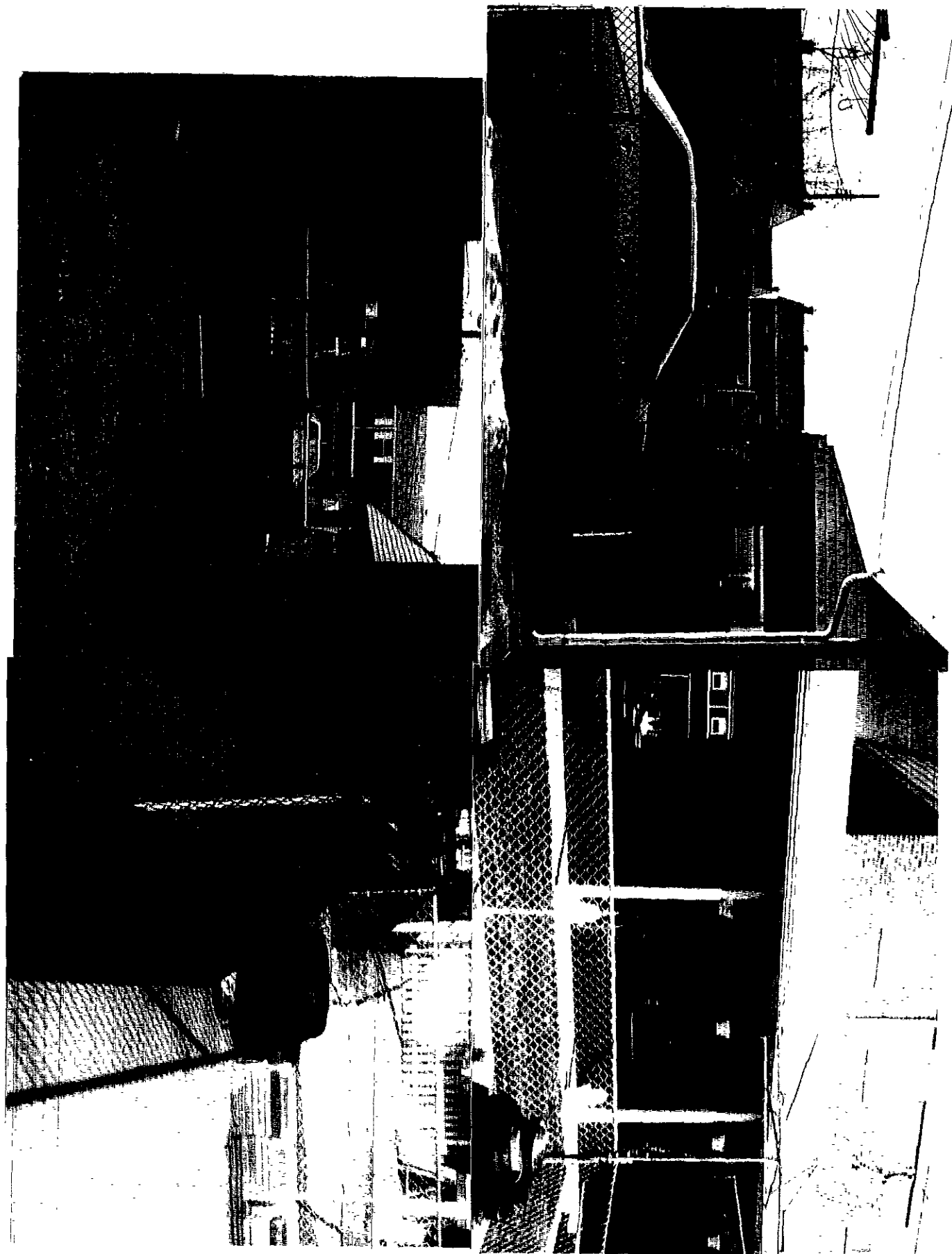
254

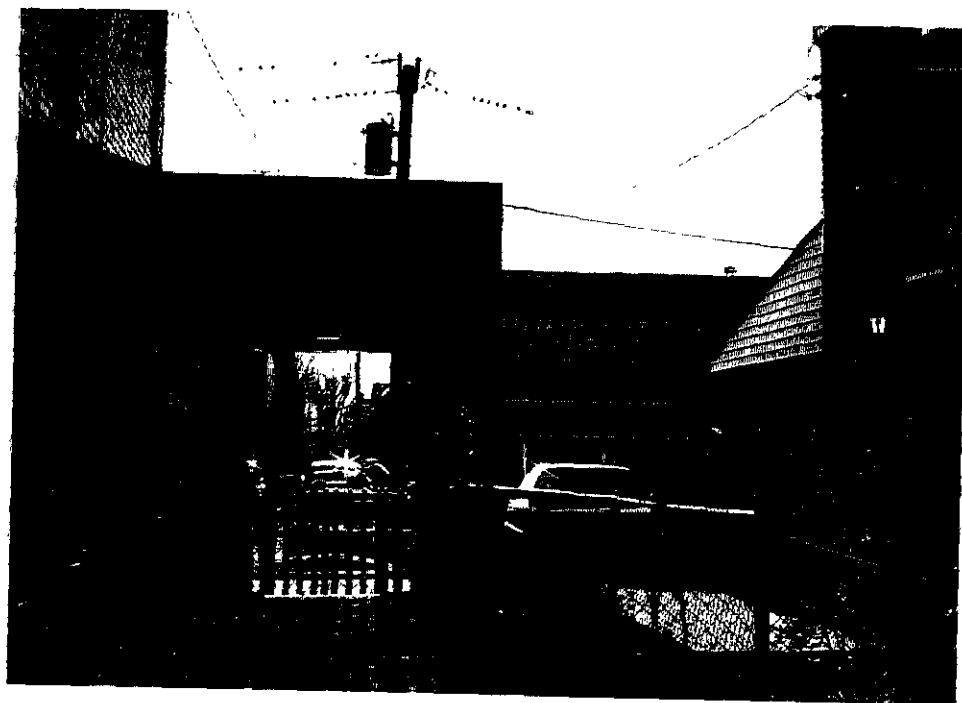
Petitioner's
Exhibit 2

photographs

Case 96-257-A







It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 21st day of February, 1996 that the Petition for Variance seeking relief from Sections 1B02.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing open projection (awning) with a side yard setback of 0 feet in lieu of the minimum required 7.5 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15 Date of Posting: 1/26/96
Posted for: Variance
Petitioner: Raymond Dominick DiBlasio and Angeline DiBlasio
Location of property: 1949 Wareham Road
Location of Sign: Street sign next to building wall
Remarks: *Street sign next to building wall*
Posted by: *Mark J. Jones / Jeff. K. Jones* Date of return: _____
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., 1/25, 1996
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1/25, 1996.

THE JEFFERSONIAN,
A. Henrichs
LEGAL AD. - TOWSON

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Case 96-257-A
1949 Wareham Road, 480' N of c/l Kirkleigh Road
15th Election District - 7th Councilmanic
Legal Owner: Raymond Dominick DiBlasio and Angeline DiBlasio
Variance to allow an open projection (awning) to be zero feet in lieu of the required 7.5 feet from side property line.
Hearing: Monday, February 12, 1996 at 9:00 a.m. in Room 118, Old Courthouse.
LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) HEARING IS HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 011172
DATE 1-2-96 ACCOUNT R-CC1 G10
AMOUNT \$ 85.00
RECEIVED FROM: *Raymond Dominick DiBlasio*
FOR: *018 R/S LAW APPROV 30*
VALIDATION OR SIGNATURE OF CASHIER *SNA*

TO: FUTURE PUBLISHING COMPANY
January 25, 1996 Issue - Jeffersonian
Please forward billing to:
Raymond and Angeline DiBlasio
1949 Wareham Road
Baltimore, MD 21222
285-3146

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-257-A (Item 254)
1949 Wareham Road
E/S Wareham Road, 480' N of c/l Kirkleigh Road
15th Election District - 7th Councilmanic
Legal Owner: Raymond Dominick DiBlasio and Angeline DiBlasio
Variance to allow an open projection (awning) to be zero feet in lieu of the required 7.5 feet from side property line.
HEARING: MONDAY, FEBRUARY 12, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

January 19, 1996

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

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Carl Jablon
Arnold Jablon
Director

cc: Raymond and Angeline DiBlasio

NOTES: (1) HEARING IS HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
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(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

February 5, 1996

Mr. and Mrs. Raymond DiBlasio
1949 Wareham Road
Baltimore, Maryland 21222

RE: Item No.: 254
Case No.: 96-257-A
Petitioner: R. DiBlasio, et ux

Dear Mr. and Mrs. DiBlasio:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 2, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director DATE: Jan. 26, 1996
Zoning Administration and Development Management
FROM: Robert W. Bowling, P.E., Chief
Development Plans Review
RE: Zoning Advisory Committee Meeting
for January 22, 1996
Items 253, 254, 257, 258, and 259
and Case 96-169 SPH

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:sw

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director DATE: January 18, 1996
Permits and Development Management
FROM: Pat Keller, Director
Office of Planning
SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 254, 255, 257, 258, 260, 263, and 264

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey W. Long*
Division Chief: *Carol L. Kerne*

PK/JL

ITEM254/PZONE/ZAC1

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4830

DATE: 01/17/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN. 16, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 253, 254, 255, 256, 257, 258, 259, 260, 261, 263 AND 264.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

1-16-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 254 (JRA)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for *Bob Small*
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PETITION PROBLEMS

#254 --- JRA

1. No address, zip code, or telephone number on petition form for legal owner.

#255 --- MJK

1. Bottom of petition form states conditional approval was given - Where is it?

#259 --- MJK

1. No telephone number on petition forms for legal owner.
2. No signature for attorney on variance petition.

#262 --- JJS

1. No authorization for person signing for legal owner.
2. No hardship or practical difficulty listed on petition form.

#264 --- JJS

1. Where is undersized lot information?

#265 --- CAM

1. No signature for legal owner on variance petition.
2. No telephone number for legal owner on petition forms.
3. No signature for attorney on variance petition.
4. No review information completed on bottom of variance petition.

1951 Wareham Road
February 9, 1996

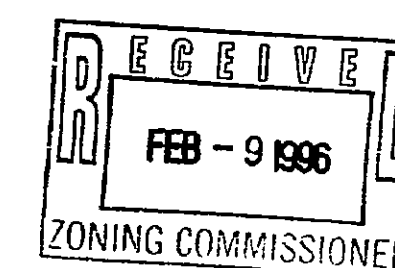
Dear Sirs,

This letter is in regards to local zoning ordinance # 96-257-A. We became aware of the law when we requested a permit to add on to our patio. We were told that no such permit could be issued because there wasn't enough room for such a structure.

However, the neighbor to whom this ordinance applies, builds whatever he wants without permits and without following county codes, has a structure that goes to the border of our property. Because this structure is in violation of the county building code, we object to the request for variance, and would like him to remove the extended porch roof.

Sincerely,

Shahid S. Ali *Victoria A. Ali*
Shahid S. Ali
Victoria A. Ali



RE PETITION FOR VARIANCE * BEFORE THE
1949 Wareham Road, E/S Wareham Road, * ZONING COMMISSIONER
480' N of c/1 Kirkleigh Road, 15th *
Election District, 7th Councilmanic *
Raymond and Angeline DiBlasio * OF BALTIMORE COUNTY
Petitioners * CASE NO. 96-257-A
* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

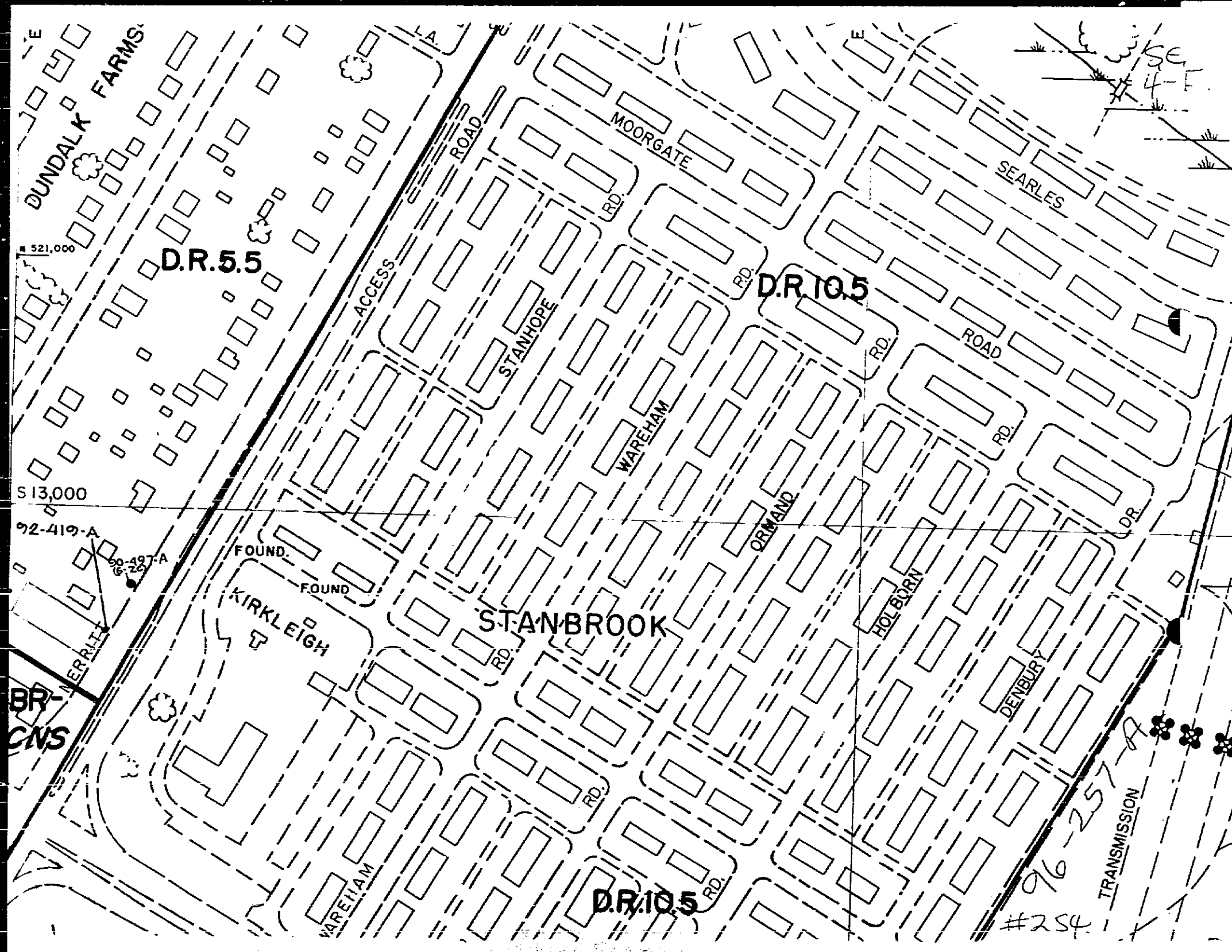
Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of February, 1996, a copy of the foregoing Entry of Appearance was mailed to Raymond and Angeline DiBlasio, 1949 Wareham Road, Baltimore, MD 21222, Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1949 Wareham Road

Subdivision name: _____

plat book # 24 lot # 29 section # 96-257-A

OWNER: R.D. & A. DiBlasio

Scale of Drawing: 1" = _____

North arrow pointing up.

LOCATION INFORMATION

Election District: 5th

Councilmanic District: 7

1"=200' scale map: SE, 4-F.

Zoning: DR. 5.5

Lot size: 28,350 sq. ft.

acreage: _____

SEWER: ☒ WATER: ☐

Chesapeake Bay Critical Area: ☐

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____

SHA 254

*Petitioner's
Exhibit 2
photographs
Case 96-257-A*

